

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)

MDL No. 2419
Dkt. No 1:13-md-2419 (FDS)

THIS DOCUMENT RELATES TO:)

All Actions)

**JOINDER IN SAINT THOMAS ENTITIES'
MOTION TO RECONSIDER MDL ORDER NO. 7**

Come Saint Thomas Outpatient Neurosurgical Center, LLC (“STOPNC”), John Culclasure, M.D., Debra Schamberg, R.N., and Howell Allen Clinic, a Professional Corporation (“Howell Allen”) (collectively “these healthcare providers”) and file this Joinder in Saint Thomas Entities’¹ Motion to Reconsider MDL Order No. 7 [Dkt. 457].

On September 16, 2013, these healthcare providers filed a response in opposition to the Plaintiffs’ Steering Committee’s (“PSC”) Motion for Entry of a Revised Case Management Schedule [Dkt. 433], which sought entry of a scheduling order governing various aspects of this MDL. In the Response, these healthcare providers noted that they were parties to “multiple” complaints. However, since the filing of that Response, the number of suits against these healthcare providers has increased from 31 to 79², most of which also name the Saint Thomas Entities.

These healthcare providers adopt and incorporate as if stated fully herein the Motion to Reconsider MDL Order No. 7 filed by the Saint Thomas Entities [Dkt. 457],

¹ St. Thomas Hospital, Saint Thomas Network, and Saint Thomas Health.

² Multiple patients have joined together as plaintiffs in three suits. The total number of patients who have filed suit against these healthcare providers is over 100.

and specifically request that the Court reconsider the portion of the Order that requires Unaffiliated Defendants to file responsive pleadings in every individual suit prior to the filing of Master and Short Form Complaints.³

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Chris J. Tardio

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and paper copies will be mailed via regular U.S. mail to those participants identified as unregistered this 27th day of September, 2013.

/s/ Chris J. Tardio

Chris J. Tardio

³ As an additional alternative to the solutions proposed in the Motion to Reconsider, these healthcare providers respectfully submit that the PSC's need for responsive pleadings could be satisfied by requiring Unaffiliated Defendants to file a responsive pleading in one suit, or a representative set of suits, pending against each Unaffiliated Defendant, rather than all suits, since all suits against each Unaffiliated Defendant have pervasive legal and factual commonalities. Repetitive response to the same allegations in complaint after complaint is inefficient and a waste of time and money.